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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, September 13, 2012 at 9:00 a.m.
PLACE:	PolyTech Adult Education Conference Center, Conf. Room 516 823 Walnut Shade Road, Woodside DE
MINUTES APPROVED:	October 11, 2012

MEMBERS PRESENT

Christopher J. Whitfield, Professional Member, Chairman
Michael Harrington, Sr., Professional Member, Vice Chairman
Andrew Staton, Professional Member, Secretary
Vincent M. White, Professional Member
Ricky H. Allamong, Professional Member
James C. Brannon, Jr., Public Member
Gilbert Emory, Public Member
Patricia O'Brien, Public Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Heeney, Deputy Attorney General
Sandy Wagner, Administrative Specialist III
Jessica Williams, Administrative Specialist II

MEMBERS ABSENT

None

ALSO PRESENT

Doug Doyle, Real Estate Education Committee
Denise Tatman, DAR
Jim Kimbleton
Angela Emerson, SCAOR

| Rodney McKenzie

CALL TO ORDER

Mr. Whitfield called the meeting to order at 1:03 p.m.

REVIEW OF MINUTES

Mr. White made a motion, seconded by Ms. O'Brien, to approve the minutes of the meeting held on August 9, 2012. By unanimous vote, the motion carried.

Mr. White made a motion, seconded by Mr. Brannon, to amend the agenda to add the acceptance of the Executive Session minutes as written. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student

Mr. Doyle discussed with the Commission a letter that was submitted by Ms. Dee Hake. Ms. Hake asked for the letter to be submitted to the Commission for review at their October meeting. Ms. Hake addressed the Education Committee regarding the denial of the amended courses submitted by the Central Delaware Real Estate Academy. Mr. Doyle said the problem is that the old Broker Core, Salesperson Core, and Legislative Update courses don't fit into the course outlines for the new modules. Mr. White asked what outline they were using and if the outline was ever approved by the Commission. Mr. Doyle said he thought the Commission approved the process the Education Committee would use and the outlines. After further discussion, the Commission determined that the Education Committee's decision with respect to the courses submitted by Central Delaware Real Estate Academy was appropriate. Ms. Hake's letter will be placed on the agenda for the Commission's October meeting.

Mr. Whitfield received an email from Mr. Bill Ward about a course that he had received approval for by the Education Committee and then the next month the Education Committee withdrew their approval. Mr. Ward had already scheduled the class and received payments from participants. Mr. Ward was asking the Commission to reinstate the approval of the course. The Commission decided that the provider would need to cancel the class, based on the decision of the Committee, which was approved by the Commission.

Mr. William Lucks sent a letter to the Administrative Specialist for the Commission asking for the Commission to override the decision of the Education Committee concerning the approval of his certificate to teach classes in all of the modules as submitted in an application to the Education Committee. The Education Committee tabled the approval until they received a certified copy of his criminal background. Mr. Lucks didn't understand why he had to keep submitting this criminal background check every time he needs to get approval for an application to teach. The incident happened over 20 years ago and nothing else has occurred since then. Mr. Lucks holds two real estate licenses and has been approved year after year to teach. The Commission members asked the Administrative Specialist why Mr. Lucks would have to keep resubmitting his criminal background report. The Commission was advised that the application includes a question about criminal history and requires a background check if the question is answered "yes." Mr. Lucks submitted a certified criminal history that is dated August 30, 2010 which shows nothing more since the 1991 incident. After discussion, Mr. White made a motion, seconded by Mr. McCann, to overturn the decision of the

Education Committee and approve Mr. Lucks' application without a further criminal background check. By unanimous vote, the motion carried.

Mr. White made a motion, seconded by Mr. Harrington, to approve and deny course providers, instructor applications and student requests as noted in the minutes of the August 2, 2012 meeting of the Real Estate Education Committee with the exception of Mr. William Lucks' application, as noted herein. By unanimous vote, the motion carried.

Applications for Licensure
Ratification of Salesperson Applications

Mr. Staton made a motion, seconded by Mr. Brannon, to ratify the following new salesperson applicants as presented:

George Spahr, Long & Foster Real Estate, Inc., Wilmington, DE
Tiffany Walter, Ocean Atlantic Sothebys Realty, Bethany Beach, DE
Trevor Clark, 1st Choice Properties, LLC, Bethany Beach, DE
Roselyn Mayfield, Patterson Schwartz Real Estate, Middletown, DE
Rosemarie Rosse, Jerry Mueller Real Estate, Inc., Bethany Beach, DE
Kaiya Pinto, Keller Williams Realty, Wilmington, DE
Don Krause, Weichert Realtors, Wilmington, DE
Bonny Krause, Weichert Realtors, Wilmington, DE
Samantha Cedenio, Coldwell Banker Residential, Bethany Beach, DE
Amanda O'Connor, Coldwell Banker Residential, Bethany Beach, DE
Delhy Santander, Patterson-Schwartz Real Estate, Newark, DE
James Volk, Shamrock Realty Group, Inc., Berlin, MD
Tonya Peralta, Keller Williams Realty, Wilmington, DE
Robert Stigler, Keller Williams Realty, Wilmington, DE
Jane Cyr, Weichert Realtors, Chadds Ford, PA
Louis DeYenno II, Weichert Realtors, Wilmington, DE
Harry Whiteman, Keller Williams Realty, Dover, DE
Lisa Whiteman, Keller Williams Realty, Dover, DE
William Kobus, Keller Williams Realty, Dover, DE
Mary Kling, Keller Williams Real Estate, West Chester, PA
Yong Kim, Long & Foster Real Estate Inc., Bear, DE
Scott Wilson, Weichert Realtors, Wilmington, DE
Jill McMillan, Coldwell Banker Residential, Bethany Beach, DE
John Carney, Coldwell Banker Residential, Bethany Beach, DE
Rachel Austin, Prudential Fox & Roach Realtors, Newark, DE
Javier Janeiro, Prudential Fox & Roach Realtors, Greenville, DE
Jeffrey Foust, Keller Williams of Central DE, Dover, DE
Sara Chan, Keller Williams, Wilmington, DE*
Tina Worsley, Weichert Realtors, Wilmington, DE*
Raymond Alexander, Weichert Realtors, Wilmington, DE*
Robert Wilson, 360 Property Solutions, Nassau, DE*
Dagmar Dunn, Prudential Fox & Roach Realtors, Newark, DE*

By unanimous vote, the motion carried.

Review of Broker Applications

Mr. Staton made a motion, seconded by Mr. White, to approve the Broker applications.

Joseph Banick, Elite Professionals 2000, LLC, Baltimore, MD
Leslie Weightman, ECO First Realty, Rockville, MD*
Alan Davis, Holliday Fenoglio Fowler, L.P., Washington, DC*

By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The application of Zionna Adamolekun for reinstatement of a broker's license was reviewed. Mr. Whitfield made a motion, seconded by Mr. Staton, to approve Ms. Adamolekun for reinstatement. By unanimous vote, the motion carried.

The application of Paul Abernathy for reinstatement of a salesperson's license was reviewed. Mr. Whitfield made a motion, seconded by Mr. Staton, to approve Mr. Abernathy for reinstatement. By unanimous vote, the motion carried.

The application of Clifford Cross for reinstatement of a salesperson's license was reviewed. Mr. Whitfield made a motion, seconded by Mr. Staton, to approve Mr. Cross for reinstatement. By unanimous vote, the motion carried.

The application of Charles Rice for reinstatement of a salesperson's license was reviewed. Mr. Whitfield made a motion, seconded by Mr. Staton, to approve Mr. Rice for reinstatement. By unanimous vote, the motion carried.

The application of Wendy Stringfellow for reinstatement of a salesperson's license was reviewed. Mr. Staton made a motion, seconded by Mr. McCann, to approve Ms. Stringfellow for reinstatement pending passing the national and state portion of the exams. By unanimous vote, the motion carried.

The application of Kimberly Martin for reinstatement of a salesperson's license was reviewed. Mr. Whitfield made a motion, seconded by Ms. Staton, to approve Ms. Martin for reinstatement. By unanimous vote, the motion carried.

The application of Barbara Dohring for reinstatement of a salesperson's license was reviewed. Mr. Whitfield made a motion, seconded by Mr. Staton, to approve Ms. Dohring for reinstatement. By unanimous vote, the motion carried.

Review of Applications for New Offices

The new office applications for Century 21 Premier Homes, SB Real Estate, LLC, and Brokers Realty Group, LLC were reviewed. Mr. White made a motion, seconded by Mr. Brannon, to approve these applications. By unanimous vote, the motion carried.

Review of Application for Additional Broker's License

The Commission reviewed Joseph Davisson's application for an additional broker's license for Multifamily Technology Solutions, Inc, an online real estate marketing company incorporated in California. Mr. Harrington made a motion, seconded by Mr. White, to propose to deny Mr. Davisson's

application for an additional broker's license because Mr. Davisson would need to have an office in Delaware. By unanimous vote, the motion carried.

Review of Applications for Office Relocation

The relocation applications for Keller Williams Realty and Sterling Real Estate were reviewed. Mr. Brannon made a motion, seconded by Ms. O'Brien, to approve the applications. By unanimous vote, the motion carried.

Status of Complaints

Complaint No. 02-15-12 – Referred to the Attorney General's Office
Complaint No. 02-05-11 – Closed
Complaint No. 02-12-11 – Closed

Review Letter Submitted by Mr. Bill Lucks – requesting the Commission to override the decision of the Education Committee (denying his instructor application)

This discussion is under the education committee's report.

OLD BUSINESS

Update on Executive Session pursuant to 29 Del.C. § 1000(4) (b); Discussion of pending litigation. Kimbleton v. White, Ward, Mowday and the Real Estate Commission, CA 12-974

Ms. Heeney gave the Commission an update on the pending litigation of Kimbleton v. White, Ward, Mowday and the Real Estate Commission. The update was that a motion to dismiss was filed on August 22, 2012 on behalf of all defendants.

Review of Sellers Disclosure Forms – Discussion of disclosures concerning affordable or workforce housing

The Commission discussed the concerns that had been raised by members of the public at the July Commission meeting, that the public should be advised that there is workforce housing in a community, regardless of whether the actual property for sale is a workforce housing unit. The Commission concluded that it would take no action on the concerns raised at the July meeting. The rationale was that this issue was not a Commission issue and more appropriately for the legislature. Mr. Whitfield stated that Senator Ennis previously sponsored a Bill addressing the disclosure of workforce housing and it didn't get out of committee. The Commission also discussed that disclosure of workforce housing might prove to be a violation of Fair Housing requirements. In connection with this discussion, Mr. Whitfield provided the Commission with letters from the National Association of Home Builders and the Home Builders Association of Delaware. These letters were reviewed by the Commissioners and copies were retained by the Commission's administrative specialist. Mr. White made a motion, seconded by Mr. McCann, that the Commission will take no action with respect to revising the Seller's Disclosure Form concerning workforce housing. By majority vote, the motion carried. Mr. Staton was not present for the vote.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Mr. Harrington stated that he has a concern that Brokers now have the responsibility of making sure licensees have completed their continuing education before they renew because licensees can renew

and attest that they have complied with the requirements even if they haven't. The Broker will be held responsible if the licensees under them haven't completed the correct amount of CE and the correct modules. The Commission discussed that it will be each Broker's responsibility to come up with a plan of their own to monitor the completion of CE.

PUBLIC COMMENT

There was no public comment.

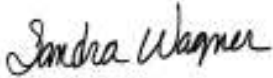
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, October 11, 2012 at 9:00 a.m.

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. White, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 2:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sandra Wagner".

Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.